

**CITY OF MIDLAND, TEXAS
BRIEFING SESSION AGENDA
Tuesday, January 23, 2007, 9:00 a.m.
City Hall Conference Room
300 North Loraine
Midland, Texas**

These items, as well as any other items on the regular posted agenda for the City Council Meeting on this date, may be discussed:

1. Discuss the Status of the Proposed Tennis Center Feasibility Study.

AGENDA FOR CITY COUNCIL MEETING
Tuesday, January 23, 2007 – 10:00 a.m.
Council Chamber – City Hall

The Midland City Council agenda is posted for public notice at least 72 hours prior to the Tuesday meetings. All requests to be placed on the Council agenda by the public must be submitted to the City Manager, in writing, at least one week before the Council meetings. Such written requests must be in sufficient detail to identify the subject matter as well as the contact person who will represent the matter before the Council. The City Council reserves the right to not consider matters over which the City has no jurisdiction.

❖Item related to City Council goals

1. Invocation – Reverend Michael Philliber, New Life Presbyterian Church
2. Pledge of Allegiance

MISCELLANEOUS

3. Presentation of special events, organizations, individuals, or periods of time including, but not limited to:
 - a. Presentation of Proclamation for Marriage Enrichment Month.
 - b. Presentation of Proclamation for Scarborough/Linebery House and 100 years of Midland History.
 - c. Presentation of Resolution of Commendation to retiring City employee Mark Barnes.

CONSENT AGENDA

4. Consider a motion approving minutes of the January 8, 2007 Special City Council Meeting and the January 9, 2007 Regular City Council Meeting.

5. Consider a resolution authorizing the purchase of thirty-one (31) police package vehicles for the police department.
6. Consider a resolution authorizing the execution of an amendment to the professional services agreement with Parkhill, Smith & Cooper, Incorporated, with such amendment authorizing certain capital improvement projects at the Midland International Airport; and appropriating funds therefor.
7. Consider a resolution approving plans and specifications and authorizing advertisement for bids for Phase II of the Midland International Airport Landscape Project.
8. Consider a resolution authorizing the execution of an airline/airport use and lease agreement with Southwest Airlines Co., regarding use of the Midland International Airport.
9. Consider a resolution authorizing the execution of an airline/airport use and lease agreement with Expressjet Airlines, Incorporated, regarding use of the Midland International Airport.
10. Consider a resolution authorizing the execution of an airline/airport use and lease agreement with American Eagle Airlines, Incorporated, regarding use of the Midland International Airport.
11. Consider a resolution authorizing the City of Midland's Department of Airports to increase landing fees at the Midland International Airport.
12. Consider a resolution authorizing an operating certificate for Midessa Transportation, L.L.C., to operate a taxicab business; setting forth conditions accompanying the certificate; and establishing the terms of the certificate.

13. Consider a resolution authorizing the City Manager to apply for a grant offered by the Texas Alcoholic Beverage Commission to enforce underage drinking laws.
14. Consider a resolution authorizing Midland Junior Baseball Association, Incorporated, to raise funds on behalf of the City of Midland for the installation of lights at the Joe Mowles Little League Complex at Windlands Park.
15. Consider a resolution authorizing the City Manager to negotiate and execute a ninety (90) day emergency contract for mowing, fertilization and pruning services within the City's park system; said contract will not be bid, but will be procured in accordance with Chapter 252 of the Texas Local Government Code.
16. Consider a resolution authorizing the execution of a public improvement development agreement with Integrity Land Development, L.P., for Holiday Hill Village, Section 4, City and County of Midland, Texas; appropriating and allocating funds therefor; said agreement being authorized by Section 395.081 of the Texas Local Government Code.
17. Consider a resolution authorizing the acceptance of a utility and drainage easement located in Lot 3B, Block 1, Corporate Plaza, Section 11, City and County of Midland, Texas; and ordering recordation by the City Secretary.
18. Consider a resolution authorizing the acceptance of a utility easement located in Section 15, Block 39, T-1-S, T & P RR Co. Survey, City and County of Midland, Texas; and ordering recordation by the City Secretary.
19. Consider a resolution authorizing the acceptance of a drainage and utility easement located in the north part of Lot 2, Block 2, Country Villa Estates, Section 3, City and County of Midland, Texas; and ordering recordation by the City Secretary.

20. Consider a resolution authorizing the execution of an access, parking and storage lease with John Bushman for a 0.264-acre tract of land located in Lot 2, Block 2, Country Villa Estates, Section 3, City and County of Midland, Texas; and ordering recordation by the City Secretary.
21. Consider a resolution authorizing the City Manager to advertise for a request for proposals for engineering services for the purpose of acquiring road right-of-way for the extension of Garfield/Cotton Flat Road from Carter Avenue to Interstate Highway 20 Service Road; and authorizing the City Manager to negotiate a professional services agreement for said services.
22. Consider a resolution approving the acceptance of the highest bid to purchase the east 90 feet of Lot 6, Block 200, Southern Addition, City and County of Midland, Texas.
23. Consider a resolution approving the acceptance of the highest bid to purchase Lot 9, Block 140, Southern Addition, City and County of Midland, Texas.
24. Consider a resolution approving the acceptance of the highest bid to purchase Lot 3, Block 2, Loma Linda Addition, City and County of Midland, Texas.
25. Consider a resolution approving the acceptance of the highest bid to purchase Lot 1, Block 1, Loma Linda Addition, City and County of Midland, Texas.

SECOND READINGS

26. Consider an ordinance on second reading on a request by Evans I Development, Ltd. for a zone change from AE, Agriculture Estate District, to PD, Planned District for a Housing Development on a 4.18-acre tract of land (Tract 1) and on a 1.38-acre tract of land (Tract 2); and from PD, Planned District for a Housing Development, to an Amended Planned District for a Housing Development, on a 3.48-acre tract of land (Tract 3) and on a 3.86-acre tract of land (Tract 4) all out of Section 8, Block "X", H.P. Hilliard Survey, Midland County, Texas. (Generally located on the east side of N. Midland Drive, approximately ¼ mile north of Mockingbird Lane.)

27. Consider an ordinance on second reading on a request by David Alldredge for a zone change from PD, Planned District for a Housing Development, to a PD, Planned District for an Industrial District on a 5.307-acre tract of land out of Section 30 and 32, Block 38, T-1-S RR Co. Survey, Midland County, Texas. (Generally located on the east side of Fairgrounds Road, approximately 550 feet east of E. Wadley Avenue.)
28. Consider an ordinance on second reading on a request by Keith Poe, DDS for an Amended Planned District Site Plan Review on Lot 11, Block 28, Wydewood Estates, Section 21, City and County of Midland, Texas. (Generally located on the northeast corner of the intersection of Sunburst Drive and Sunmore Circle.)
29. Consider an ordinance on second reading on a request by Landgraf, Crutcher and Associates, Inc. for a Specific Use Permit without Term for Tire, Battery and Automotive Accessory Installation or Minor Tune-Up and Repair on Lot 1A, Block 51, Belmont Addition, Section 8, City and County of Midland, Texas. (Generally located on the southeast corner of the intersection of W. Summit Avenue and S. Rankin Hwy.)
30. Consider an ordinance on second reading on a request by The Moss Partnership for a zone change from 1F-1, One-Family Dwelling District, to PD, Planned District for a Housing Development on a 21.88-acre tract of land out of Section 9, Block "X" H.P. Hilliard Survey, Midland County, Texas. (Generally located on the east side of the northward extension of N. Midkiff Road, approximately 1,000 feet north of Mockingbird Lane.)
31. Consider an ordinance on second reading amending the fire district so as to delete therefrom Lots 13A, 14A, 15A, and 16A, Block 99, Original Town Addition, Section 2, City and County of Midland, Texas; directing the building official to amend the fire district map; containing a cumulative clause; and containing a savings and severability clause.
32. Consider an ordinance on second reading on a request by Juan Cardenas and Maria Cardenas for the vacation of a 0.08-acre portion of the right-of-way of Keenland Drive adjacent to Lot 21, Block 11, Green Hill Terrace, Section 3, City

and County of Midland, Texas. (Generally located north of the intersection of Keenland Drive Widener Strip.)

PUBLIC HEARINGS

33. At 11:00 a.m. hold a public hearing and consider an ordinance on a request by Glenn Miller for a zone change from PD, Planned District for a Housing Development, to an Amended Planned District for a Housing Development on Lots 6-13, Block 4, Holiday Hill Village, Section 3, City and County of Midland, Texas. (Generally located on the north side of Rio Grande Avenue, approximately 340 feet west of Guadalupe Street.)
34. At 11:03 a.m. hold a public hearing and consider an ordinance on a request by Oppidan Investment Company for an Amended Planned District Site Plan on a 6.96-acre tract of land out of Section 37, Block 40, T-1-S, T&P RR Co. Survey, Midland County, Texas. (Generally located west side of N. Loop 250 West, approximately 350 feet north of Deauville Boulevard.)
35. At 11:06 a.m. hold a public hearing and consider an ordinance on a request by T-Mobile USA for a Specific Use Permit without Term for a Wireless Communication System on Lot 1, Block 8, Town & County Annex, Section 3, City and County of Midland Texas. (Generally located on the north side of Cuthbert Avenue and the southwest side of Andrews Hwy.)
36. At 11:09 a.m. hold a public hearing and consider an ordinance on a request by Jeff Cole for a Specific Use Permit without Term for an accessory building for living and sleeping quarters on Lot 14, Block 5, University Parks, City and County of Midland, Texas. (Generally located on the south side of Harvard Avenue, approximately 100 feet west of N. "L" Street.)
37. At 11:12 a.m. hold a public hearing and consider an ordinance on a request by Robert Savage c/o BMRM Inv., Ltd. for a Specific Use Permit with Term for the sale of all alcoholic beverages, for on-premises consumption, in a restaurant, on Lot 7, Block 27, Wyndwood Estates, Section 20, City and County of Midland, Texas. (Generally located on the east side of North Loop 250 West, approximately 250 feet south of W. Wadley Avenue.)

38. At 11:15 a.m. hold a public hearing and consider an ordinance on a request by Landgraf, Crutcher & Associates, Inc. for a zone change from AE, Agriculture Estate District and from FD, Future Development District, to 1F-1, One-Family Dwelling District on a 15.96-acre tract of land (Tract 1) and to PD, Planned District for a Housing Development on a 11.64-acre tract of land (Tract 2) all out of Section 35 & 36, Block 40, T-1-S, T&P RR Company Survey, Midland County, Texas. (Generally located on the north side of Andrews Hwy and on the east side of State Hwy 158.)
39. At 11:18 a.m. hold a public hearing and consider an ordinance on a request by St. Ann's Catholic Church for the vacation of an 18,720 square foot portion of the right-of-way of N. "M" Street between Block 71 and 72, West End Addition, City and County of Midland, Texas. (Generally located between W. Illinois and W. Texas Avenue.)
40. At 11:21 a.m. hold a public hearing and consider an ordinance on a city-initiated proposal to amend Section 11-1-6(B)16(b) of the Midland City Code by adding two new uses to Business Park District.
41. At 11:24 a.m. hold a public hearing and consider an ordinance on a city-initiated request to amend Section 11-1-6(A)(9) of the Midland City Code regarding the site plan review process for apartments.
42. At 11:27 a.m. hold a public hearing and consider an ordinance amending Title VI "Police Regulations", Chapter 1, "General Offenses" of the City Code of Midland, Texas, so as to add a new Section 2, "Oil and Gas Well Permits issued on or after March 1, 2007"; said ordinance shall regulate and govern the granting or rejecting of applications for oil and gas well permits; said ordinance provides for revised regulations regarding the drilling of oil and gas wells and exploration and production from oil and gas wells; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of five hundred dollars (\$500.00); establishing an effective date of March 1, 2007; and ordering publication.

DEVELOPMENT SERVICES

43. Consider a motion on a request by Patriot Resources, Inc. for a Permit to drill an Oil Well within the City Limits located 660' FNL and 1000' FWL, Section 11, Block "X", H.P. Hilliard Survey, Midland County, Texas. (Generally located approximately 1000 feet east of the north extension of "A" Street and ¾ mile north of Mockingbird Lane.)
44. Consider a resolution authorizing the City Manager to execute a road repair agreement with Patriot Resources, Incorporated.
45. Consider a motion granting a request by Endeavor Energy Resources, L.P. for a permit to drill an oil and gas well within the City Limits located 660' FNL and 860' FWL, Section 9, Block "X", H.P. Hilliard Survey, Midland County, Texas. (Generally located approximately 650 feet north of Passage Way and approximately 860 feet east of the extension of N. Midkiff Road.)
46. Consider a resolution authorizing the City Manager to execute a road repair agreement with Endeavor Energy Resources, L.P.
47. Consider an ordinance amending Title VI "Police Regulations", Chapter 1, "General Offenses", Section 7, "Oil and Gas Wells" of the City Code of Midland, Texas, so as to clarify that this section shall apply to all oil and gas permits issued prior to March 1, 2007; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of five hundred dollars (\$500.00); and ordering publication.
48. Consider an ordinance on a request by Paul Evans to vacate a 20-foot alley, being a 0.21-acre portion of land adjacent to Blocks 49 and 50, Unrecorded Carol Crest Addition, Section 1, Block 39, T-2-S, T&P RR Co. Survey; and a 0.11-acre portion of land adjacent to Block 1, O'Neil Addition, 1st Section and Block 2, O'Neil Addition, Section 2, City and County of Midland, Texas. (Generally located south of Garden City Hwy, west of S. Fairgrounds Road.)

MISCELLANEOUS

49. Consider an ordinance authorizing the issuance of "City of Midland, Texas, tax and limited pledge revenue certificates of obligation, series 2007"; levying an ad valorem tax upon all taxable property in the city and pledging net revenues of the city's waterworks and sewer system for the payment of said certificates; prescribing the terms and details of such certificates and resolving other matters incident and related to the issuance, sale, security, payment and delivery of said certificates, including the approval of a paying agent/registrar agreement and the approval and distribution of an official statement pertaining thereto; and providing an effective date.
50. Consider an ordinance authorizing the issuance of "City of Midland, Texas, Combination Tax and Revenue Refunding Bonds, Series 2007"; specifying the terms and features of said bonds; levying a continuing direct annual Ad Valorem tax for the payment of said bonds; and resolving other matters incident and related to the issuance, sale, payment and delivery of said bonds, including the approval and execution of a paying agent/registrar agreement and a purchase contract and the approval and distribution of an official statement; providing for the redemption of certain outstanding obligations of the City; and providing an effective date.
51. Consider a motion making appointments to various Boards and Commissions.
52. Recess to the conference room for lunch.
53. Pursuant to Texas Government Code §551.101, the Council will hold an Executive Session which is closed to the public to discuss the following matters as permitted under the following Texas Government Code Sections:

Respectfully submitted,

Rick Menchaca
City Manager